

Pellet and Curtis cease counsel work for Russia

Cosmo Sanderson
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Leading public international lawyer **Alain Pellet** and Curtis Mallet-Prevost Colt & Mosle have withdrawn from Russia's counsel team in a set of state-to-state disputes with Ukraine.

Pellet, emeritus professor at Paris Nanterre University, announced in an "open letter to my Russian friends" on his website on 27 February that he would no longer act for Russia in a pending case at the International Court of Justice and two arbitrations.

"Lawyers can defend more or less questionable causes," said Pellet, "but it has become impossible to represent in forums dedicated to the application of the law a country that so cynically despises it."

Lawyers from Curtis' Milan office had also been acting alongside Pellet in the arbitrations. The firm confirmed to GAR that it has now withdrawn from the proceedings.

The resignations follow Russia's launch of a full-scale invasion of Ukraine on 24 February, which has seen the country targeted with missile strikes.

Russia has called the invasion a "special military operation" and accuses Ukraine of carrying out a genocide in its eastern Donbass region, which has been under the control of pro-Russian separatists since Russia's annexation of Crimea in 2014.

Pellet had been defending Russia in three proceedings launched by Ukraine in response to events in Crimea. In the ICJ proceeding, Russia is accused of breaching international conventions against financing of terrorism and racial discrimination. The ICJ [upheld jurisdiction](#) over those claims in 2019.

Ukraine brought the two arbitrations under the UN Convention on the Law of the Sea – one [concerning coastal state rights](#) in the Black Sea, Sea of Azov and Kerch Strait; and the other [over the detention of Ukrainian naval vessels and servicemen](#) in 2019. Both cases are being heard by five-member tribunals at the Permanent Court of Arbitration in The Hague.

In the ICJ case, the counsel team for Russia included **Samuel Wordsworth QC** and **Sean Aughey** of Essex Court Chambers and various academics, as well as **Vasily Torkanovskiy** of Russian firm Ivanyan & Partners.

Pellet, Wordsworth and Ivanyan are also listed as counsel to Russia in the PCA proceedings along with Curtis consultant **Tullio Treves** and counsel **Renato Treves** and another Essex Court barrister, **Amy Sander**.

Essex Court did not respond to a request for comment by press time as to whether its members will also resign from the counsel team.

In his letter, Pellet says he agreed to work for Russia in the Crimea-related cases after “careful consideration”.

In Crimea, Pellet says that Russian President Vladimir Putin’s “sin” against international law is not that he “pushed the region” to join Russia, but that he “interfered crudely” in the process of consulting the population of the peninsula on whether they would like to.

“This would have required confidence in democratic principles and a sincere belief in the right of peoples to self-determination,” says Pellet. “Putin’s Russia, which muzzles all opposition and bans demonstrations against the war, does not bother too much with these principles.”

“At least the ‘recuperation’ of Crimea was achieved without bloodshed,” says Pellet, adding that he does not believe Ukraine’s accusations of racial discrimination before the ICJ.

But Pellet says that “Ukraine is not Crimea” and there is “no justification for the use of war to impose a political regime change in Kiev or a territorial dismemberment of Ukraine – probably both.” International law allows the use of armed force only in self-defence, says Pellet. Despite Putin’s “verbal contortions”, he says this was “clearly” not the case for Russia.

While Pellet says that Ukraine “arguably” violated the Minsk Agreements, which the state entered with Russia-backed separatists seeking to end their war in the eastern Donbas region of the country, “Russia has hardly fulfilled its own commitments.”

“Dear Russian friends, what a disappointment and sadness it is that your country, so endearing in so many ways, is calling into question those principles that we wanted to believe were recognised by all ‘civilised nations’.”

Pellet says he has enjoyed working to defend Russia, “which I love dearly,” but “enough is enough.”

A number of international law firms have reportedly been reviewing their counsel work for major Russian clients in the wake of the Russia-Ukraine conflict, and the UK’s House of Lords last week debated clamping down on law firms that act for Russian oligarchs.

It was announced yesterday that Ivanyan and Partners will [close its London office](#) after two partners, **Baiju Vasani** and **James Dingley**, resigned.

Meanwhile Ukrainian firm Asters has [declared](#) it will no longer advise Russian businesses and individuals “unless they openly condemn or de-associate themselves with Russia’s current political regime.”

Well-known arbitrators have also weighed in on the dispute. **Gary Born** of WillmerHale published an [article](#) today on “Prosecuting Putin and his cronies” while **Philippe Sands QC** published an opinion piece in the [Financial Times](#) calling Putin’s use of military force a “crime of aggression”.

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